

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

## UNITED STATES DISTRICT COURT

for the

Northern District of California

Oakland Division

Thomas Klassy

Case No.

(to be filled in by the Clerk's Office)

## Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Amy Marshall, Augusta Crutchfield, Laney College,  
Peralta Community College District

## Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Thomas Klassy
Street Address	1353 48th Ave
City and County	San Francisco, San Francisco
State and Zip Code	CA 94122
Telephone Number	415-510-9596
E-mail Address	1Klassydc@gmail.com

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

FILED  
MAY 01 2019  
SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE

JFP  
NP  
③  
DMR

C19-2387

## Defendant No. 1

Name	Amy Marshall
Job or Title <i>(if known)</i>	Superv/Admin & Bus Supp Svcs
Street Address	900 Fallon St.
City and County	Oakland, Alameda
State and Zip Code	CA 94607
Telephone Number	510-986-6984
E-mail Address <i>(if known)</i>	amarshall@Peralta.edu

## Defendant No. 2

Name	Agusta Crutchfield
Job or Title <i>(if known)</i>	Custodian
Street Address	900 Fallon St.
City and County	Oakland, Alameda
State and Zip Code	CA 94607
Telephone Number	510-464-3115
E-mail Address <i>(if known)</i>	acrutchfield@peralta.edu

## Defendant No. 3

Name	Laney College
Job or Title <i>(if known)</i>	Educational Institution
Street Address	900 Fallon St.
City and County	Oakland, Alameda
State and Zip Code	CA 94607
Telephone Number	510-464-3236
E-mail Address <i>(if known)</i>	tgilkerson@peralta.edu

## Defendant No. 4

Name	Peralta Community College District
Job or Title <i>(if known)</i>	Parent Institution
Street Address	333 E 8th St.
City and County	Oakland, Alameda
State and Zip Code	CA 94606
Telephone Number	510-466-7264
E-mail Address <i>(if known)</i>	rlroberts@peralta.edu

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title 31 USC section 6304, Title 18 USC section 1346 TITLE 42 SEC 17501-17541

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

## 1. The Plaintiff(s)

## a. If the plaintiff is an individual

The plaintiff, (name) Thomas Klassy, is a citizen of the State of (name) California.

## b. If the plaintiff is a corporation

The plaintiff, (name) n/a, is incorporated under the laws of the State of (name) n/a, and has its principal place of business in the State of (name) n/a.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

## 2. The Defendant(s)

## a. If the defendant is an individual

The defendant, (name) Amy Marshall, is a citizen of the State of (name) California. Or is a citizen of (foreign nation) n/a.

## b. If the defendant is a corporation

The defendant, (name) n/a, is incorporated under the laws of the State of (name) n/a, and has its principal place of business in the State of (name) n/a.  
 Or is incorporated under the laws of (foreign nation) n/a, and has its principal place of business in (name) n/a.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

## 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):  
 \$ 100,000.00

**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Amy Marshal had Augusta Crutchfield repeatedly spray known carcinogens in a planter outside of the classrooms in the E-200, bldg at Laney College, of the Peralta Community College District, after assuring that they would not continue to do so, last year. Doing so caused immediate illnesses which affected initial health resulting in medical visits, adversely affecting ability to attend class, and, subsequently, grades and forcing withdrawals from classes.

**IV. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

\$100,000.00 for the malicious and continued use of known carcinogens in the most highly populated student area, six days a week, that has had severe affects on myself, now and since the event. I need to treat myself holistically now before I get even worse and can not function at all.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 04/30/2019

Signature of Plaintiff

X

Printed Name of Plaintiff

Thomas Klassy

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

n/a

Printed Name of Attorney

n/a

Bar Number

n/a

Name of Law Firm

n/a

Street Address

n/a

State and Zip Code

n/a

Telephone Number

n/a

E-mail Address

n/a